

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/765,105	01/28/2004	Masahiko Watanabe	023484-0155 9730		
22428	7590 08/26/2005		EXAMINER		
	ID LARDNER	CORRIGAN, JAIME W			
SUITE 500 3000 K STREET NW			ART UNIT	PAPER NUMBER	
WASHINGT	WASHINGTON, DC 20007			3748	
			DATE MAILED: 08/26/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary 10/765,105							
### Examiner Jaime W. Corrigan 3748 ### The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ** THE PRIOD FOR THIS COMMUNICATION. ** The Priod for reply specified above, the mainling date of his communication is reply specified above, the mainling date of his communication is the period of reply specified above, the mainling date of his communication is the period of reply specified above, the mainling date of his communication is the period of reply specified above, the mainling date of his communication is the period of reply specified above, the mainling date of his communication. ** The period for reply specified above, the mainling date of his communication is the period of the per		Application No.	Applicant(s)				
Jaime W. Corrigan 3748 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thirty (30) days, and period of the reply specified above is less than thirty (30) days, and period of the reply specified above is less than thirty (30) days, and period of the reply specified above is less than thirty (30) days, and period of the reply specified above is less than thirty (30) days, and period of the specified of the specified above is less than thirty (30) days, and period of the specified of the specified above is less than thirty (30) days, and period of the specified of the specified above is less than thirty (30) days, and the considered timely. If the period for reply specified above is less than thirty (30) days, and period of the specified of this communication. If the period for reply specified above is less than thirty (30) days, and the considered timely. If the period for reply specified above is less than thirty (30) days, and the considered timely. If the period for reply specified above is less than thirty (30) days, and the considered timely. If the period for reply specified above is less than thirty (30) days, and the considered timely. If the period for reply specified above is less than thirty (30) days, and the considered timely. If the period for reply specified above is less than thirty (30) days, and the considered timely. A proper variety reply received the state of the second and the second reply specified above reply specified and the second reply specified above reply specified and the second reply	Office Action Summan	10/765,105	WATANABE, MASAHIKO				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estaticized or therm type is available under the provides the early of the provide for reply specified above is less than thity (30) days, a reply within the statutory minimum of thiny (30) days will be considered timely. If the period for reply specified above is lines than thity (30) days, a reply within the statutory minimum of thiny (30) days will be considered timely. If the period for reply specified above is lines than thity (30) days, a reply within the statutory minimum of thiny (30) days will be considered timely. If the period for reply specified above is lines than thity (30) days, a reply within the statutory minimum of thiny (30) days will be considered timely. If the period for reply specified above is lines than thiny (30) days and visiting the replication is the mailing date of this communication. Any reply received by the Office later than these months after the mailing date of this communication. Any reply received by the Office later than these months after the mailing date of this communication. Any reply received by the Office later than these months after the mailing date of this communication. If the Responsive to communication(s) filed on gat March 2005. Status 1) See Responsive to communication(s) filed on gat March 2005. 2a) This action is FinAt. 2b) March 2005. 2a) This action is FinAt. 2b) March 2005. 2a) This action is FinAt. 2b) March 2005. 2a) Claim(s) 1-12 Is/are pending in the application. 4) Claim(s) 1-12 Is/are allowed. Claim(s) 2-12 Is/are allowed. Claim(s) 3-12 Is/are objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application reply and the first and the first allowed. Claim(s) 3-12 Is/are objected to by the Examiner	Office Action Summary	Examiner	Art Unit				
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. □ Calcarboth or lines may be willable under the provisions of 37 CFR 1.33(a). In no event, however, may a reply be timely filed □ RNO period for reply is periodical abover, be maximum statutory period will apply and will be periodic or reply aspecified abover, be maximum statutory period will apply and will periodic vision and the mailing date of this communication. □ RNO period for reply is specified abover, be maximum statutory period will apply and will apply and will be periodic of the periodic of the periodic vision and periodic vision. □ RNO period for reply is specified abover, be maximum statutory periodic vision apply and will be periodic vision and periodic vision. □ Responsive to communication(s) filed on 0.3 March 2005 2a □ This action is FINAL. □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1-18 is/are pending in the application. 4) □ Claim(s) 1-18 is/are pending in the application. 4) □ Claim(s) 1-18 is/are allowed. □ Claim							
THE MAILING DATE OF THIS COMMUNICATION. Extensions of mem mybe available used the provided and the TSK (i) MOITTRS from the mailing date of this communication. If SK (ii) MOITTRS from the mailing date of this communication. If SK (ii) MOITTRS from the mailing date of this communication. If NO parties of creptly september date, and the transfer period within the statistory privide underly part and the provided by the Office date when the mailing date of this communication. Fallure is reply velible to set or extended period for reply velible to state the enteroperate by the Office date that the them enteroperate and the privile velible period with the communication, even if timely filed, may reduce any example state term adjustment. See 37 CFR 1.74(b). Status 1) Responsive to communication(s) filed on 03 March 2005 2a) This action is FINAL. 2b) This action is FINAL. 2b) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1.18 is/are pending in the application. 4a) Of the above claim(s)		pears on the cover sheet with the c	orrespondence address				
1) Responsive to communication(s) filed on @3 March 2005. 2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-17 is/are allowed. 6) Claim(s) 1-4,6.8 and 18 is/are rejected. 7) Claim(s) 3-and 7 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheel(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(e) 1) Notice of Parlsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB00) 4) Interview Summary (PTO-413) Figure No(s)/Mal Date 5) Notice of Informal Patent Application (PTO-152)	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be time within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-17 is/are allowed. 6) Claim(s) 1-16 is/are allowed. 6) Claim(s) 1-16 is/are objected to. 8) Claim(s)	Status						
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-17 is/are allowed. 6) Claim(s) 1-4.6.8 and 18 is/are rejected. 7) Claim(s) 5 and 7 is/are objected to. 8) Claim(s) 5 and 7 is/are objected to. 8) Claim(s) is are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(e) 1) Notice of Praftsperson's Patent Drawing Review (PTO-948) 3) Notice of Informal Patent Application (PTO-152)	1) Responsive to communication(s) filed on 03 M	larch 2005.					
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-17 is/are allowed. 6) Claim(s) 9-17 is/are allowed. 6) Claim(s) 5-14.6.8 and 18 is/are rejected. 7) Claim(s) 5-3 and 7 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 1) Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-143) or (PTO-152)	· · · · · · · · · · · · · · · · · · ·						
All b Succession of Claims 4) Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-17 is/are allowed. 6) Claim(s) 1-4,6,8 and 18 is/are rejected. 7) Claim(s) 5 and 7 is/are objected to. 8) Claim(s) 5 and 7 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2 Notice of References Cited (PTO-892) 3 Notice of Draftsperson's Patent Drawing Review (PTO-948) 5 Notice of Tortage Patent Application (PTO-152)	3) Since this application is in condition for allowar	·					
4) ☐ Claim(s) 1-18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) 9-17 is/are allowed. 6) ☐ Claim(s) 1-4,6,8 and 18 is/are rejected. 7) ☐ Claim(s) 5 and 7 is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filled on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB(08) 5) ☐ Notice of Information Patent Application (PTO-152)	closed in accordance with the practice under E						
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) 9-17 is/are allowed. 6) □ Claim(s) 1-4,6,8 and 18 is/are rejected. 7) □ Claim(s) 5 and 7 is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) □ Notice of Tornal Patent Application (PTO-152)	Disposition of Claims						
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 1) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	 4) ⊠ Claim(s) 1-18 is/are pending in the application 4a) Of the above claim(s) is/are withdray 5) ⊠ Claim(s) 9-17 is/are allowed. 6) ⊠ Claim(s) 1-4,6,8 and 18 is/are rejected. 7) ⊠ Claim(s) 5 and 7 is/are objected to. 	wn from consideration.					
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	Application Papers						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	9) The specification is objected to by the Examine	! r.					
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)							
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	<u> </u>						
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	Priority under 35 U.S.C. § 119						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	•						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date Notice of Informal Patent Application (PTO-152)	Attachment(s)						
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)							
	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Informal P					

DETAILED ACTION

This Office Action is in response to the Request for Reconsideration filed on 03 March 2005. Overall, claims 1-18 are pending in this application. The arguments with respect to the references applied in the first Office Action were deemed persuasive, however, a new Non-final rejection is set forth below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Murata et al. (PN 5,778,840).

Regarding claims 1, 18 Murata et al. discloses a driving rotational member (See Figure 1 (13)) driven by a crankshaft of the engine; an engine valve (See Figure 1 (2)) provided at an associated one of an intake port and an exhaust port for opening and closing the associated port; a valve spring (See Figure 1 (3)) biasing the engine valve in a direction closing of the associated port of the intake and exhaust ports; a driven rotational member including either one of a camshaft (See Figure 1 (11)) having a cam (See Figure 1 (6)) that opens the engine valve against a spring bias of the valve spring and a separate member integrally connected to and separable from the camshaft; and

Art Unit: 3748

an installation-angle adjusting (See Figures 1-5D (14), (15), (16)) mechanism disposed between the driving rotational member and the driven rotational member to transmit (See Column 11 Lines 31-67, Column 12 Lines 1-63) a torque of the driving rotational member to the driven rotational member, the installation-angle adjusting mechanism comprising a movable operating member (See Figure 3 (17), (18)) that varies a relativerotation phase between the crankshaft and the camshaft by moving the movable operating member in a radial direction of the camshaft by an electromagnetic force (See Figure 4 (33), Column 15 Lines 35-67, Column 16 Lines 36) depending on engine operating conditions.

Regarding claim 2 Murata et al. discloses the installation-angle adjusting mechanism (See Figures 1-5D (14), (15), (16)) transmits the torque of the driving (See Figure 1 (13)) rotational member to the driven (See Figure 1 (11)) rotational member by converting a rotational movement produced depending on the engine operating conditions into a radial displacement (See Figure 4 (33), Column 11 Lines 31-67, Column 12 Lines 1-63, Column 15 Lines 35-67, Column 16 Lines 36) and further converting the radial displacement into another rotational movement.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Application/Control Number: 10/765,105

Art Unit: 3748

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-4, 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murata et al. (PN 5,778,840) in view of Muir et al. (PN 5,031,585).

Murata et al. discloses the rotational movement produced depending on the engine operating conditions is created by an electromagnetically operated motor (See Figure 4 (33), Column 16 Lines 1-36) and the installation-angle adjusting mechanism further comprises a restricting (See Figure 8 (A), (B), Column 15 Lines 15-23) mechanism that restricts the radial displacement of the movable operating member (See Figure 3 (17), (18)) in the radial direction of the camshaft when a relative-rotation phase between the driving rotational member and the driven rotational member reaches a predetermined value; the restricting mechanism comprises a stopper (See Figure 8 (A), (B), Column 15 Lines 15-23) that a connected end portion of the link (See Figure 3 (23), (24)) is brought into abutted-engagement with the stopper when the relativerotation phase between the driving rotational member and the driven rotational member reaches a substantially maximum value; a cushioning mechanism (See Column 21 Lines 59-65, Column 22 Lines 19-33, 53-55 (The lubricating oil as a cushion)) provided at the stopper (See Figure 8 (A), (B), Column 15 Lines 15-23) or a member which is brought into abutted-engagement with the stopper.

Murata et al. fails to disclose the rotational movement is created by an electromagnetic brake.

Application/Control Number: 10/765,105

Art Unit: 3748

Muir et al. teaches that it is conventional in the art to utilize the rotational movement is created by an electromagnetic brake (See Figure 1 ((26), (56), (18), (20); Column 4 Lines 18-28; Column 5 Lines 13-31).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the electromagnetic brake taught by Muir et al. in the Murata et al. device since it would improve timing device control.

Allowable Subject Matter

Claims 5, 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9-17 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 1-8 and 18 have been considered but are most in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jung (PN 5,941,202), Ma (PN 5,518,092) disclose similar valve timing control devices.

Application/Control Number: 10/765,105

Art Unit: 3748

Friday off.

Any inquiry concerning this communication from the Examiner should be directed to Examiner Jaime Corrigan whose telephone number is (571) 272-4858. The Examiner can normally be reached on Monday – Friday from 8:30 a.m. – 6:00 p.m. 2nd

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Thomas E. Denion, can be reached on (571) 272-4859. The fax number for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3700.

JC

August 22, 2005

Jaime Corrigan

Patent Examiner Art Unit 3748

Jaime Corrigan

THOMAS DENION
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

Page 6